

REMARKS

Claims 8-14 and 35-37 are pending in this application. Claims 8-13 and 36 are allowed. Claims 14 and 35 are rejected and claim 37 is objected to. By the present amendment, the specification is amended to indicate that the nucleotide sequence shown in Figure 5 and represented by SEQ ID NO. 3 of the sequence listing encodes a protein having a sequence identical to the amino acid sequence (SEQ ID NO. 4) of the CZ-2 protein except for a replacement of the tyrosine at position 57 with an isoleucine. Support for the amendment is found in documents filed with this case. Applicant thanks the Examiner for the telephone interview of September 19, 2007, in which this amendment to the specification was discussed. By the present amendment, Claim 37 is amended to improve the grammar of the claim. Claims 14 and 35 are hereby cancelled without prejudice or disclaimer.

SPECIFICATION

The specification is objected to because the amino acid sequence shown in Figure 6 and disclosed as SEQ ID NO. 4 is not encoded by the nucleotide sequence shown in Figure 5 or disclosed as SEQ ID NO. 3. As discussed with the Examiner, the specification has been amended to indicate that the nucleotide sequence shown in both in Figure 5 and SEQ ID NO. 3 encodes a protein having a sequence identical to the amino acid sequence of SEQ ID NO. 4 except that the tyrosine at position 57 in SEQ ID NO. 4 is replaced with an isoleucine. This difference resulted from a typographical error in the sequence shown in Figure 5. Applicants submit that the amendment to the specification overcomes the objection.

§102 Rejections

Claim 14 and 35 are rejected under 35 USC §102(a) as being anticipated by GenBank Accession No. AC011508.1. Claims 14 and 35 have been canceled rendering the rejection of these claims moot.

Appl. No. 10/623,914
Amdt. dated September 19, 2007
Response to Office Action of June 11, 2007

In view of the above-described amendments and remarks, applicants submit that claims 8-13, 36, and 37 are now in conditions for allowance. Prompt notice of such allowance is respectfully requested. If the Examiner has any questions regarding the amendments or remarks, she is asked to call Pamela A. Docherty, at (216) 622-8416.

Date: September 9, 2007 Respectfully submitted,
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